

REMARKS

Claims 1-42 are pending, with claims 1, 7, 13, 14, 17, 25, 27, 30, 38 and 40 being independent. Claims 14, 17, 25, 27, 30, 38 and 40 have been amended, and claims 41 and 42 have been added. No new matter has been added.

Applicants acknowledge with appreciation the Examiner's indication that claims 17-20, 23-26, 30-33 and 36-39 are directed to allowable subject matter if rewritten in independent form. Applicants have rewritten claims 17, 25, 30 and 38 in independent form.

Claims 1-40 have been rejected for obviousness-type double patenting over claims 1-37 of U.S. Patent No. 6,950,498. Applicants submit the attached terminal disclaimer to obviate this rejection.

Independent claims 14, 27 and 40, and their dependent claims 15, 16, 21, 22, 28, 29, 34, 35, and 40, have been rejected as being anticipated by Fedane (U.S. Patent No. 6,633,549). Independent claims 14 and 40, as amended, recite a method (claim 14) and an apparatus (claim 40) for externally determining whether a voicemail service is enabled on a telephone line that include, among other features, "placing one or more test calls from a first entity across a network to the telephone line of a call recipient ... wherein the first entity and the call recipient are different entities" (emphasis added). Applicants request reconsideration and withdrawal of the rejection of claim 14 and 40, and their dependent claims, because Fedane does not describe or suggest at least this feature.

Fedane describes a system and method for auto-detection of ISDN BRI services for use by terminal equipment 50. When detecting ISDN services, the terminal equipment 50 places calls to itself by calling its own directory numbers. See abstract; col. 4, lines 23-32; col. 5, lines 15-26. Accordingly, the terminal equipment 50 receives the calls it places, and, therefore, is not a different entity than the call recipient, as claimed.

For at least this reason, applicants request reconsideration and withdrawal of the rejection of claims 14 and 40, and dependent claims 15, 16, 21 and 22, which depend from claim 14.

Independent claim 27, as amended, recites a computer system for externally determining whether a voicemail service is enabled on a telephone line that includes, among other features, "a

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telephony server configured to: place one or more test calls across a network to the telephone line of a call recipient; ... wherein the telephony server and the call recipient are different entities" (emphasis added). For at least the reasons described above, applicants request reconsideration and withdrawal of the rejection of claim 27 and its dependent claims 28, 29, 34 and 35 because Fedane does not describe or suggest the recited telephony server that places calls to a telephone line of a call recipient that is a different entity than the telephony server.

Applicants submit that all claims are in condition for allowance.

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Respectfully submitted,

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